



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

This document has been
signed by
Pamela H. Patenaude

DEC 12, 2005

MEMORANDUM FOR: Harold Cole, Director, Office of Community Planning
and Development, 4CD

Emily Cuby Eberhardt, Director, Office of Community
Planning and Development, 4GD

Katie Worsham, Office of Community Planning and
Development, 6AD

FROM: Pamela H. Patenaude, Assistant Secretary, D

SUBJECT: Waiver of 24 CFR 91.520(a)(2) to Extend Time For Submission of
Performance Reports

Due to the impact of Hurricanes Katrina and Rita, some jurisdictions along the Gulf Coast in Alabama, Mississippi, Louisiana, and Texas have requested a waiver extending the submission deadline for the 2004 program year CAPER. The regulation at 24 CFR 91.520(a) requires each jurisdiction to submit a performance report to HUD within 90 days after the close of the jurisdiction's program year.

The requests for extension of the submission deadline resulted from the unprecedented property damage and displacement in areas for which the President has issued federal disaster declarations. The requested extension will allow the jurisdictions to prepare a complete reporting of the city's expenditures during the past fiscal year and provide the required public comment period.

The regulation at 24 CFR 91.600 provides that "upon determination of good cause, HUD may, subject to statutory limitations, waive any provision of this part" of the regulations. It is in the public interest to allow a waiver of the regulatory deadline, as the jurisdictions city would be unable to submit a complete and accurate expenditure report for its 2004 program by the current CAPER submission deadline. Furthermore, the CAPER provides local residents with information on accomplishments during the City's program year and HUD with information for its national database, which is used for various reporting purposes.

For the foregoing reasons, I find that there is good cause to waive, and hereby do waive, 24 CFR 91.520(a), to allow for an extension of up to 90 days for the CAPER submission deadline for jurisdictions in the affected areas. Communities exercising this waiver should so indicate in writing to HUD as soon as it is convenient.

If you, or any member of your staff, have any questions concerning this matter, you may contact the Office of Policy Development and Coordination at (202) 708-1817 or the Entitlement Communities Division at (202) 708-1577.